

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,
Plaintiffs,**

v.

**BRAD RAFFENSPERGER, ET AL.,
Defendants.**

Civil Action No. 1:17-CV-2989-AT

**PLAINTIFFS' NOTICE OF FILING MATERIALS FOR
SEPTEMBER 28, 2020 TELECONFERENCE HEARING**

Plaintiffs jointly submit the attached exhibits, including a new request for production and recent correspondence, for reference at today's conference with the Court. Defendants to date have not responded to any of Plaintiffs' requests for information or cooperation simply to understand the extremely-concerning issues that have just surfaced with Georgia's Dominion BMD voting system — issues that further confirm that this new, complicated system involving tens of thousands of unnecessary machines is not ready for deployment this year (assuming it ever could be reliably deployed at all). Plaintiffs anticipate seeking the Court's assistance during the conference with reasonable, expedited discovery into these troubling issues. Plaintiffs also worry about preservation of potentially relevant documents, data, and equipment, such as the currently-unusable election databases Defendants

and Dominion evidently are working to replace. The Court may need to address this during today's conference to avoid further spoliation of highly relevant evidence in this case. In addition, Plaintiffs have information that strongly suggests that the problem with the database is different from, and potentially more extensive than, the Secretary reported to the press over the weekend.

Respectfully submitted this 28th day of September, 2020.

/s/ David D. Cross

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CERTIFICATE OF COMPLIANCE

Pursuant to LR 7.1(D), I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ David D. Cross
David D. Cross

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CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2020, a copy of the foregoing **PLAINTIFFS' NOTICE OF FILING MATERIALS FOR SEPTEMBER 28, 2020 TELECONFERENCE HEARING** was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all attorneys of record.

/s/ David D. Cross
David D. Cross